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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/746,500	12/22/2000	Yuergen Boehmke	00348	9783

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EXAMINER

IQBAL, KHAWAR

ART UNIT	PAPER NUMBER
2686	//

DATE MAILED: 04/06/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/746,500

Applicant(s)

BOEHMKE, YUERGEN

Examiner

Khawar Iqbal

Art Unit

2686

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 03 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on ____.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☐ Claim(s) ____ is/are pending in the application.
- 4a) Of the above claim(s) ____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) ____ is/are allowed.
- 6) ☒ Claim(s) 1-41 is/are rejected.
- 7) ☐ Claim(s) ____ is/are objected to.
- 8) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on ____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. ____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☐ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date ____.
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. ____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: ____.

DETAILED ACTION

Claim Rejections - 35 USC § 102

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

2. Claims 1-41 are rejected under 35 U.S.C. 102(e) as being unpatentable by Farris et al (6504907).

3. Regarding claims 1,10,37 and 41 Farris et al teaches a method for communicating one or more dial digits associated with a telecommunication system call record, the dial digits being transmitted from a remote telecommunication device, comprising (abstract, figs. 1-3):

receiving the one or more dial digits (col.5, lines 16-30);

transmitting the one or more dial digits to a computer system at a local site (server 39,"CLASS" and) (col. 5, lines 30-55); and

storing (server 39, LER 7, and fig. 5, element 55) the one or more dial digits in a database in communication with the computing system (col. 5, lines 16-55, col. 13, lines 1-40 and 31-41, col. 20, lines 1-10);

storing at least one of the one or more dial digits in a table within the database, wherein the table relates to how recently the dial digits were transmitted from the

remote telecommunication device (col. 13, lines 25-40, col. 21, line 46-col. 22, line 18);
and

searching the database for one or more dial digits associated with a
telecommunication system (col. 13, lines 25-40, col. 21, line 46-col. 22, line 18, col. 23,
lines 1-40).

Regarding claims 19,27,32,33 and 40 Farris et al teaches a system for
communicating one or more telecommunication call records associated with a
telecommunication system, the one or more call records being transmitted from a
remote telecommunication device, comprising (abstract, figs. 1-3):

a telecommunication switch (39); and a computing system adapted for
communicating with the telecommunication switch, the computing system including one
or more computers having one or more processors for executing one or more sets of
logic instructions, a memory circuit for storing the one or more sets of logic instructions
to be executed and a storage device in communication thereto (col. 19, line 64-col. 20,
line 20, col. 24, lines 25-39, col. 27, lines 35-55, col. 29, lines 25-36); and

wherein the one or more sets of logic instructions are executed to cause the
computer system to establish a communication link between the computing system and
the telecommunication system (col. 5, lines 16-55, col. 13, lines 1-10 and 31-41, col. 20,
lines 1-10, see above);

receive the telecommunication call records, and store the telephone call records
in the storage device (col. 5, lines 16-55, col. 13, lines 1-10 and 31-41, col. 20, lines 1-
10);

store at least one of the one or more telecommunication call records in a table within the storage device, wherein the table related to how recently the telecommunication call records were received (col. 13, lines 25-40, col. 21, line 46-col. 22, line 18); and

search the storage device for one or more telecommunication records associated with a telecommunication system (col. 13, lines 25-40, col. 21, line 46-col. 22, line 18).

Regarding claims 2,11,20,28,34 and 38 Farris et al teaches wherein receiving the one or more dial digits comprises receiving the one or more dial digits from a telecommunication switch (col. 5, lines 16-55, col. 13, lines 1-10 and 31-41, col. 20, lines 1-10).

Regarding claims 3,12,21,29,35 and 39 Farris et al teaches wherein transmitting comprises transmitting the one or more dial digits from the telecommunication switch to the computing system (col. 5, lines 16-55, col. 13, lines 1-10 and 31-41, col. 20, lines 1-10).

Regarding claims 4,13,14,22,30 and 36 Farris et al teaches wherein communicating the one or more dial digits occurs in real-time (col. 5, lines 16-55,col. 10, 6-20, col. 13, lines 1-10 and 31-41, col. 20, lines 1-10).

Regarding claims 5 and 15 Farris et al teaches wherein receiving the one or more dial digits includes receiving the one or more dial digits from a wireless device (col. 5, lines 16-55, col. 13, lines 1-10 and 31-41, col. 20, lines 1-10).

Regarding claims 6, 16, 23 and 31 Farris et al teaches further comprising analyzing the one or more dial digits received from the telecommunication switch (col. 5, lines 16-55, col. 13, lines 1-10 and 31-41, col. 20, lines 1-10).

Regarding claims 7 and 24 Farris et al teaches wherein analyzing the one or more dial digits further comprises parsing the one or more dial digits (col. 5, lines 16-55, col. 13, lines 1-10 and 31-41, col. 20, lines 1-10).

Regarding claims 8, 17 and 25 Farris et al teaches further comprising generating reports associated with the one or more dial digits according to predetermined criteria (col. 5, lines 16-55, col. 13, lines 1-10 and 31-41, col. 20, lines 1-10).

Regarding claims 9, 18 and 26 Farris et al teaches further comprising providing the reports to an output device in communication with the computing system (col. 5, lines 16-55, col. 13, lines 1-10 and 31-41, col. 20, lines 1-10).

Response to Arguments

4. Applicant's arguments filed 02-13-2004 have been fully considered but they are not persuasive. The examiner has thoroughly reviewed applicant's arguments claim 27 but firmly believes the cited references to reasonable and properly meets the claimed limitations. Applicant's primary argument was that the references do not teach inputting into the computer system an identifier and generating a report base on the identifier. In regard to applicant's arguments against Farris et al, the examiner considers Farris et al to merely teach AMA message does indicated the billing information of the call. Furthermore, this billing information include calling party identification number, called

party identification number, date, time and duration of the call which also indicate how recent the call was being generated (col. 13, lines 15-40). An administrative processor controlling operation of the switch fabric and for selectively generating accounting messages for reporting events in processing of calls through the switching office, a profile for the subject station stored in the one switching office, the profile containing a CLASS code designating a surveillance status for the station and causing the administrative processor to generate Automatic Message Accounting (AMA) messages for a predetermined set of calls processed through the one switching office in some way associated with the subject station.

A register in the call store 67 is assigned and receives profile data from the disc memory 63 both for originating subscribers on outgoing calls and for terminating subscribers on incoming calls. Of particular note, the administrative module processor 61 will load the profile associated with a subject line into an assigned register in the call store 67, for each and every call attempt to the number of the subject line and for each and every call attempt from the subject line. The register will always include the surveillance CLASS code (col. 21, line 50-col. 22, line 18 and etc.). Although the claims are interpreted in light of the specification, limitations from the specification are not read into the claims. See *In re Van Geuns*, 988 F.2d 1181, 26 USPQ2d 1057 (Fed. Cir. 1993).

Conclusion

5. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP

§ 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Khawar Iqbal whose telephone number is 703-306-3015.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, MARSHA D BANK-HAROLD can be reached on 703-305-4379. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

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